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DRAFT STATUTORY INSTRUMENTS

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**2013 No.**

**The Social Security, Child Support, Vaccine Damage and Other Payments (Decisions and Appeals) (Amendment) Regulations 2013**

**Amendment of the Child Support Maintenance Calculation Regulations 2012**

6.—(1) The Child Support Maintenance Calculation Regulations 2012(1) are amended as follows.

(2) After regulation 14 (grounds for revision), insert—

**“Consideration of revision before appeal**

**14A.**—(1) This regulation applies in a case where—

- (a) the Secretary of State gives a person written notice of a decision; and
- (b) that notice includes a statement to the effect that there is a right of appeal to the First-tier Tribunal against the decision only if the Secretary of State has considered an application for a revision of the decision.

(2) In a case to which this regulation applies, a person has a right of appeal against the decision only if the Secretary of State has considered on an application whether to revise the decision under section 16 of the 1991 Act.

(3) The notice referred to in paragraph (1) must inform the person of the time limit specified in regulation 14(1) for making an application for a revision.

(4) Where, as the result of paragraph (2), there is no right of appeal against a decision, the Secretary of State may treat any purported appeal as an application for a revision under section 16 of that Act.

(5) In this regulation, “decision” means a decision mentioned in section 20(1)(a) or (b) of the 1991 Act (as substituted by section 10 of the Child Support, Pensions and Social Security Act 2000).”

(3) In regulation 15 (late application for a revision)—

- (a) at the end of paragraph (4)(b) insert “, except in a case to which regulation 14A applies”;
- (b) in paragraph (6), after “extension of time” insert “, except in a case to which regulation 14A applies.”

(4) Subject to regulation 8(1) (transitional and savings provisions) of these Regulations, in the Schedule, omit paragraph 2 (late appeals), 3 (notice of appeal) and 4 (death of a party to an appeal).